

TIPS for Servicemembers

Protecting Stored Property While on Active Duty



When you put your stuff, or a car or truck, in storage, a storage company may try to sell your things if you fall behind on your rent. But you have rights!

Servicemembers' Storage Rights

- Under the law, while you are on active duty, storage companies must get a court order before selling your stored property, car, or truck if you are behind on the rent for your storage unit.

Who gets these storage rights

- Any member of the armed forces on active duty. These rights last while you are deployed and for three months after you return.
- Servicemembers who are absent from active duty because they are sick, wounded, or on leave.
- Any member of the Reserve called to active duty and any member of the National Guard who has been called to active federal or state service for more than seven days in a two-week period.

If a storage company files a court case to sell your stuff:

- Get help right away from a JAG legal assistance office or another attorney.
- You or your attorney can ask a judge to stop the case for a period of time.
- A judge can also change what you owe to an amount the judge thinks is fair, or change when you need to make your payments.

- If the judge decides that your duty is not the reason you are behind on your rent, the judge can let the company sell your things.

Don't Give Up Your Rights

- **Be aware:** Storage companies might try to get you to give up your rights when you sign up for storage. They might also say they didn't know you were a servicemember.
- **Read all documents before you sign them:** When signing papers to store your things, read before you sign. Signing papers that say you give up, or "waive," your rights means you are agreeing to let the storage company sell your stuff without getting a court order.
- **Remember:** You do not have to sign a contract that gives up your rights if you do not want to.
- **Separate forms:** The law says that storage companies cannot make you give up your storage rights unless they have you sign a different form from the storage contract. So look out for extra papers in the stack of documents they give you and be sure to understand them before you sign.

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You Have Options

- **Talk to your Family Support Office:** Ask about options for storing your personal items — for example, some installations or armories allow long-term car or truck storage.
- **Shop around:** Making a few calls before you choose a storage company can help you get the best deal and make sure your things are safe.

Additional Resources

Ask your base legal office for help. For the legal office's contact information, ask your command or visit the Armed Forces Legal Assistance Program website at <http://legalassistance.law.af.mil/content/locator.php>.

California National Guard personnel can also get help from the State Staff Judge Advocate's Office - go to <http://www.calguard.ca.gov/> for contact information.

For information on civilian legal aid resources, go to <http://www.lawhelpca.org>.

The Attorney General's Office cannot give legal advice, but filing a consumer complaint is helpful because it alerts the Office to consumer issues and may help with the Office's investigations. File a complaint with the Attorney General's Office at <https://oag.ca.gov/consumers> or (800) 952-5225.

For more information about military consumer protection, visit <https://oag.ca.gov/consumers/general/military>.

For questions regarding the Department of Justice, contact the Public Inquiry Unit at (916) 210-6276 (voice), or (800) 952-5225 (toll-free in California).